

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
LIBERTY MUTUAL INSURANCE COMPANY,  
LIBERTY MUTUAL FIRE INSURANCE COMPANY,  
LIBERTY INSURANCE CORPORATION, THE FIRST  
LIBERTY INSURANCE CORPORATION, LM INSURANCE  
CORPORATION, LIBERTY MUTUAL MID-ATLANTIC  
INSURANCE COMPANY, LIBERTY COUNTY MUTUAL  
INSURANCE COMPANY, LM PROPERTY and CASUALTY  
INSURANCE COMPANY, SAFECO COMPANY OF  
INDIANA, and AMERICAN STATES INSURANCE  
COMPANY,

Plaintiffs,

-against-

Docket No.: 1:24-cv-04031-EK-SJB

OLEG GOLOUBENKO MEDICAL, P.C.,  
OLEG GOLOUBENKO, M.D., AMON CHIROPRACTIC, P.C.,  
CRONOS CHIROPRACTIC, P.C., MICHAEL GORELIK, D.C.,  
PRIORITY CARE REHAB & PHYSICAL THERAPY, P.C.,  
WAEI BAKRY, P.T., COUNTY MEDICAL SERVICES, P.C.,  
WILLIAM FOCAZIO, M.D., IRINA BELYANSKAYA O.T., P.C.,  
IRINA BELYANSKAYA, O.T., NEPTUNE MEDICAL SERVICES,  
P.C., ALEXANDER KATZ, M.D., BEST TOUCH PT, P.C.,  
ABOURYA ABDELHAMID MAHMOUD, P.T.,  
PHYSICAL INFINITY MEDICAL, P.C., PAULINE RAITSES,  
D.O., IGOR BELYANSKY, GOLDEN TREE SIE LLC,  
IRINA BARINOV, and JOHN DOE DEFENDANTS 1-10,

Defendants.

----- X

**AFFIDAVIT IN SUPPORT OF CERTIFICATE OF DEFAULT**

STATE OF NEW YORK     )  
                                      ) SS.:  
COUNTY OF NASSAU     )

Frank P. Tiscione being duly sworn, deposes and says:

1.     I am a member of the Bar of this Court and an attorney with the law firm of Rivkin  
Radler LLP, attorneys for Liberty Mutual Insurance Company, Liberty Mutual Fire Insurance  
Company, Liberty Insurance Corporation, The First Liberty Insurance Corporation, LM Insurance

Corporation, Liberty Mutual Mid-Atlantic Insurance Company, Liberty County Mutual Insurance Company, LM Property and Casualty Insurance Company, Safeco Company of Indiana, and American States Insurance Company (“Plaintiffs”), the Plaintiffs in the above captioned action. I am fully familiar with the facts and circumstances set forth in this affidavit.

2. I submit this affidavit pursuant to Rule 55.1 of the Local Civil Rules for the Eastern District of New York, in support of Plaintiffs’ application for a certificate of default against the Defendant, Abourya Abdelhamid Mahmoud, P.T. (hereinafter “Defendant” or “Mahmoud”).

3. This is an action seeking damages against, among others, Defendant Mahmoud arising from a systematic defrauding of the Plaintiffs by the Defendants, including Mahmoud.

4. Jurisdiction of the subject matter of this action is based upon 28 U.S.C. § 1332(a)(1) because the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs, and is between citizens of different states. Venue in this District is appropriate pursuant to 28 U.S.C. § 1391, as the Eastern District of New York is the District where one or more of the Defendant reside and because this is the District where a substantial amount of the activities forming the basis of the Complaint occurred.

5. The Complaint in this action was filed on June 5, 2024 (See Docket Entry No. 1). A true and correct copy of the Summons and Complaint was served on Defendant Mahmoud on June 15, 2024. Proof of service was filed on June 17, 2024 (See Docket Entry No. 9).

6. Pursuant to the requirements of 50 U.S.C. § 521(b), I have made a careful investigation of whether Defendant Mahmoud is in the military. As a result of my investigation, I can state that Defendant Mahmoud is not in military service. Attached as Exhibit “A” is an affidavit of service confirming that Defendant Mahmoud is not in military service.

7. The Defendant Mahmoud has not answered the Complaint and the time for Defendant to answer the Complaint has expired.

8. This action seeks judgment against Defendant Mahmoud for declaratory relief, compensatory damages, punitive damages, costs, and reasonable counsel fees.

Dated: Uniondale, New York  
July 31, 2024

*Frank P. Tiscione*  
Frank P. Tiscione, Esq.